

Rec'd PCT/PTO 01 APR 2005

329879

PCT/JP2003/012661

PATENT COOPERATION TREATY



Translation

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference YCT-870	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/JP2003/012661	International filing date (day/month/year) 02 October 2003 (02.10.2003)	Priority date (day/month/year) 04 October 2002 (04.10.2002)
International Patent Classification (IPC) or national classification and IPC B60S 1/40		
Applicant NIPPON WIPER BLADE CO., LTD.		

- This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 6 sheets, including this cover sheet.
- This report is also accompanied by ANNEXES, comprising:
 - ☐ (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:
 - ☐ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
 - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
 - ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

- This report contains indications relating to the following items:

- ☒ Box No. I Basis of the report
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

Date of submission of the demand 15 April 2004 (15.04.2004)	Date of completion of this report 13 December 2004 (13.12.2004)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

BEST AVAILABLE COPY

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2003/012661

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This report is based on translations from the original language into the following language _____, which is language of a translation furnished for the purpose of:

- ☐ international search (under Rules 12.3 and 23.1(b))
- ☐ publication of the international application (under Rule 12.4)
- ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

☒ The international application as originally filed/furnished

☐ the description:

pages _____, as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☐ the claims:

pages _____, as originally filed/furnished

pages* _____, as amended (together with any statement) under Article 19

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☐ the drawings:

pages _____, as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/JP 03/12661

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	2-4, 11, 12	YES
	Claims	1, 5-10	NO
Inventive step (IS)	Claims		YES
	Claims	1-12	NO
Industrial applicability (IA)	Claims	1-12	YES
	Claims		NO

2. Citations and explanations

Document 1: US 6000093 A (Cedric S.K. Charng), 14 December 1999

Document 2: WO 00/48877 A1 (Robert Bosch GmbH), 24 August 2000

The invention set forth in claim 1 lacks novelty in the light of document 2 cited in the international search report.

The "untere Halfte (40)", "obere Halfte (42)", "Filmgelenk (44)", "Gelenbolzen (16)" and "Lagernabenhalften (55)" set forth in document 2 correspond respectively to the "attaching member", "fixing member", "connecting portion", "joint pin" and "joint pin installation portion" of the invention set forth in claim 1 of this application.

In addition, the invention set forth in claim does not involve an inventive step in the light of document 1 cited in the international search report.

In the "connector (6)" set forth in document 1, the member having "passages (62), (63)", the member having a "latching member (61)" in the "connector (6)", and "pins (173), (174)" and "passages (62), (63)" correspond respectively to the "fixing member", "attaching member", "joint pin" and "joint pin installation portion" of the

invention set forth in claim 1 of this application. It would be easy for a person skilled in the art to constitute the installation portion of "connector (6)" set forth in document 1 to be flexible.

The invention set forth in claim 2 does not involve an inventive step in the light of document 1.

See document 1, column 3, lines 27 to 43 and fig. 12 to 16.

The invention set forth in claim 3 does not involve an inventive step in the light of documents 1 and 2.

It would be easy for a person skilled in the art to provide a side plate to come into contact with the wiper blade body to the fixing member of the "connector (6)" set forth in document 1 in the light of document 2, page 8, lines 4 to 15.

The invention set forth in claim 4 does not involve an inventive step in the light of document 1.

The "rod (23)" set forth in document 1 corresponds to the "mounting pin" of the invention set forth in claim 1.

The invention set forth in claim 5 lacks novelty in the light of document 2 (see fig. 5).

The invention set forth in claim 5 does not involve an inventive step in the light of document 1.

If the side on which the "fixing member" is positioned relative to the "attaching member" is understood to be the upper side in document 1, the "joint pin installation portion" set forth in document 1 is understood to be provided to the upper surface of the "attaching member".

The invention set forth in claims 6 and 7 lacks novelty in the light of document 2.

The "Lagernabenhalfen (55)" set forth in document 2 corresponds to the "fixing member" set forth in claim 7.

The invention set forth in claims 6 and 7 does not involve an inventive step in the light of document 1.

The "latching member (61)" set forth in document 1 is combined from the opening of the depression of the "joint pin installation portion", fixes the "fixing member" to the "mounting pin", and corresponds to the "fixing member" set forth in claim 7 of this application.

The invention set forth in claims 8 to 10 lacks novelty in the light of document 2.

The invention set forth in claims 8 to 10 does not involve an inventive step in the light of document 1.

The invention set forth in claim 11 does not involve an inventive step in the light of document 1.

Although document 1 contains no clear disclosure concerning the mounting order, when mounting the "joining member (connector (6))" set forth in document 1, assuming that the "joining member" is mounted to the "mounting pin" first, it would be obvious that in order to join the "joint pin installation portion" to the "joint pin", the "joining part" must be rotated around the "mounting part".

The invention set forth in claim 12 does not involve an inventive step in the light of document 1.

In the wiper blade set forth in document 1, positioning the "insertion hole" closer to the tip than the "mounting pin" is merely a matter which could be accomplished as necessary by a person skilled in the art.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/JP 03/12661

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

Claim 7 is unclear.

That is to say, according to claim 7, the fixing means is understood to fix the fixing member to the mounting pin, but according to page 7, lines 1 to 7, and page 11, line 25 to page 12, line 17 of the description, the fixing means (fixing cutouts (47) and (48)) is understood to fix the fixing member (22) to the joint pin (11), therefore claim 7 is not consistent with the description.

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ BLACK BORDERS
- ☐ IMAGE CUT OFF AT TOP, BOTTOM OR SIDES
- ☐ FADED TEXT OR DRAWING
- ☐ BLURRED OR ILLEGIBLE TEXT OR DRAWING
- ☐ SKEWED/SLANTED IMAGES
- ☐ COLOR OR BLACK AND WHITE PHOTOGRAPHS
- ☐ GRAY SCALE DOCUMENTS
- ☐ LINES OR MARKS ON ORIGINAL DOCUMENT
- ☐ REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY
- ☒ OTHER: holes between words.

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.